

Legal Aid Society Honors Jenner & Block Team with Pro Bono Publico Award

Recognition

December 16, 2021

On December 16, The Legal Aid Society recognized a Jenner & Block team with a 2021 Pro Bono Publico award for “providing significant and invaluable support in litigation around the use of hotels for people who are homeless during the pandemic.”

In June 2021, New York City began a rushed effort to close 60 temporary hotel shelters housing approximately 10,000 residents. The hotel shelters had been opened during the pandemic to de-densify congregate shelters and to accommodate single adult New Yorkers experiencing homelessness with COVID-19 risk factors. However, the City implemented the closings without appropriate notice to the residents or adequate screening to ensure that Department of Homeless Services (DHS) clients with disabilities were moved into settings that accommodated their needs.

On July 8, 2021, after DHS had moved roughly 3,600 clients, Jenner & Block and the Legal Aid Society brought an action in federal court, seeking to enforce a 2017 settlement agreement between Coalition for the Homeless (among other plaintiffs) and the City that requires DHS to provide reasonable accommodations to its shelter clients with disabilities.

On July 13, the court granted a temporary restraining order that stopped DHS from moving disabled residents without adequate screening, as well as requiring written notice in advance of any move to ensure residents were placed into shelter that accommodated their needs.

After the moves resumed, the team brought a second motion for a temporary restraining order as DHS continued to move residents to shelters that did not accommodate their needs, and without the required notice or process. The court granted the second temporary restraining order on August 5, pausing all moves for the 1,900 residents who remained in the 19 hotels that stayed open until the City could put forth a comprehensive plan to adequately ensure compliance with the 2017 settlement agreement.

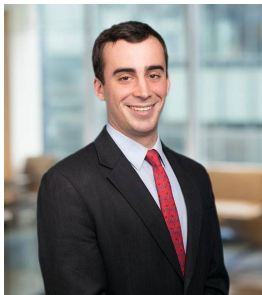
On August 20, the court approved the City’s plan outlining the requirements that had to be met before any future shelter residents could be moved. Among other things, the plan required DHS to conduct interviews with 5,000 individuals who had been moved out of the hotels earlier in the summer, implement new protocols to prevent moving additional individuals while their applications for accommodations were pending, and limit the number of individuals DHS could move in a given

day. The plan also required the City to conduct a “look back” interview process for all residents that were moved prior to the court’s order to inform those residents of their rights and the process to secure the accommodation that they need. The parties continue to oversee the complete implementation of the plan.

The Jenner & Block team awarded the recognition includes Partner Dawn L. Smalls, Associates Jacob D. Alderdice, Ali I. Alsarraf, Cayman C. Mitchell, and Andrew C. Elliott, and Paralegals Nyema K. Taylor and Grace E. Liberman.

Over 3,000 volunteer lawyers, law firms, corporations, and other professionals each year provide pro bono assistance to the clients and staff of The Legal Aid Society. Of those volunteers, only 300 are nominated for special recognition with a Pro Bono Publico award.

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